

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

-v-

ALPINE SECURITIES CORPORATION,

Defendant.

17cv4179 (DLC)

ORDER

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>3/15/19</u>

DENISE COTE, District Judge:

On December 11, 2018, an Opinion addressed the motion of the Securities and Exchange Commission ("SEC") for summary judgment on suspicious activity reports ("SARs") filed by Alpine Securities Corporation ("Alpine"). The December 11 Opinion ordered the parties to provide a table listing the deficient SARs for which summary judgment was granted.

On February 15, the SEC filed Exhibit 1, which lists those SARs on which the SEC contends summary judgment has been granted. Exhibit 1 reflects the SEC's consideration of Alpine's February 11 objections to the SEC's draft table. Exhibit 2 to the SEC's February 15 submission describes Alpine's objections of February 11 and the SEC's response.

On February 15, Alpine sent a new set of tables to the SEC. These tables were attached to the SEC's February 15 submission as Exhibits A and B-1 through B-7. It appears that neither

Exhibit 1 nor any other document provided to the Court reflects the SEC's consideration of the new set of tables Alpine provided on February 15.

In the SEC's February 15 submission, Alpine's Exhibits B-6 and B-7 were redacted. On March 7, Alpine provided unredacted copies of these exhibits to the Court. Alpine's March 7 letter states that it has filed Exhibits B-6 and B-7 under seal pursuant to an Order dated July 12, 2018 because the exhibits contain, inter alia, descriptions of SARs which are confidential under the Bank Secrecy Act and the protective order in this case. The July 12 Order allowed the parties to file redacted versions of such materials in connection with the summary judgment briefing without first obtaining the approval of the Court.

It is hereby

ORDERED that the parties may file redacted and placeholder materials in connection with any tables submitted pursuant to the December 11 Opinion or any briefing on a motion for remedies without first obtaining the approval of the Court to the extent the materials are similar to those for which such approval has already been given in the Court's July 12 Order.

IT IS FURTHER ORDERED that Alpine may file redacted versions of Exhibits B-6 and B-7.

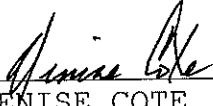
IT IS FURTHER ORDERED that the parties shall confer regarding Alpine's February 15 submission to the SEC and March 7 submission to the Court. They shall provide to the Court a single table which lists all of the SARs as to which the parties agree the December 11 Opinion granted summary judgment. If this single table is Exhibit A to Alpine's March 7 submission, then no further submission is necessary.

IT IS FURTHER ORDERED that the parties shall confer and provide to the Court a second table which lists those SARs as to which the parties disagree whether the December 11 Opinion granted summary judgment, with columns that briefly refer to Alpine's objection and the SEC's response. The parties may submit memoranda that describe in concise form the objections and responses that are listed on the table.

IT IS FURTHER ORDERED that the parties shall by **March 20** advise the Court of their requested schedule for submission of the documents described above. The schedule for the motion for remedies remains as described in the February 11 Order.

SO ORDERED:

Dated: New York, New York
March 15, 2019



DENISE COTE
United States District Judge